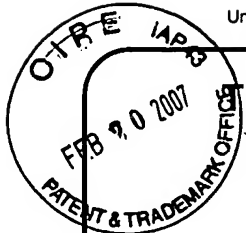


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FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/580,453

Filing Date

May 23, 2006

First Named Inventor

Florence Rivera

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

034299-698

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)
(please identify below):

Seven (7) References Cited; Postcard.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

THELEN REID BROWN RAYSMAN & STEINER

Signature

Printed Name

Robert E. Krebs

Date

13 Feb. 2007

Reg.
No.

25,885

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Geneva Walls

Date

2-14-07

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Florence Rivera et al. CONFIRMATION NO.: Not Yet Assigned
SERIAL NO.: 10/580,453
FILING DATE: May 23, 2006

TITLE: In Vivo Diagnostic And Therapy Micro-Device

EXAMINER: Not Yet Assigned
ART UNIT: Not Yet Assigned

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date printed below:

Date: 2-14-07

Name: Geneva Walls

Geneva Walls

**Mail Stop: AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
ALEXANDRIA, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant hereby submits this Information Disclosure Statement (IDS) including a Form PTO-1449 containing a list of references which may be material to the examination of the above-referenced application. This submission is not to be construed as a representation that a prior art search has been conducted, that additional information material to the examination of this application does not exist, or that any one or more of the listed references constitutes prior art.

The Examiner is urged to carefully consider this Information Disclosure Statement and all the listed references, and to indicate same by initialing the appropriate portion(s) of the Form PTO-1449 and forwarding an initialed copy to applicant.

I

This statement is filed pursuant to **(CHECK ONE BOX)**:



37 C.F.R. § 1.97(b).

This information disclosure statement is filed either:

- (1) within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application;
- (3) before the mailing date of a first office action on the merits; **or**
- (4) before the mailing of a first office action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114, **whichever event occurs last.**

Accordingly, this information disclosure statement requires no fee and no certification.



37 C.F.R. § 1.97(c).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97(b), but **before** the mailing date of any of the following:

- (1) a final action under 37 C.F.R. § 1.113;
- (2) a notice of allowance under 37 C.F.R. § 1.311; **or**
- (3) an action that otherwise closes prosecution in the application.

Accordingly, this information disclosure statement requires either:

- (1) the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c); **or**
- (2) a certification according to 37 C.F.R. § 1.97 (e)(1) or (2).



37 C.F.R. § 1.97(d).

This information disclosure statement is filed **after** the period specified in 37 C.F.R. § 1.97 (c).

Accordingly, this information disclosure statement requires:

- (1) a certification in accordance with 37 C.F.R. § 1.97(e); **and**
- (2) the fee specified in 37 C.F.R. § 1.17 (p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d).

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

II

Fees Due (**CHECK ONE BOX**):



No fee is due.



The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) or 37 C.F.R. § 1.97(d) is enclosed (\$180).

III

Certification (**CHECK ONE BOX**):



No certification is necessary.



Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned hereby certifies:

That each item of information contained in this information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.



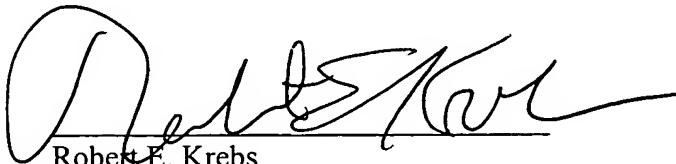
Pursuant to 37 C.F.R. § 1.97(e)(2), the undersigned hereby certifies:

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this information disclosure statement.

Please charge any additional required fee or credit any overpayment to our deposit account number 50-1698.

Respectfully submitted,

THELEN REID BROWN RAYSMAN & STEINER LLP



Robert E. Krebs

Reg. No. 25,885

Dated: February 17, 2007

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